

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LIANGGUANG SUN, JINGPING
JIANG, SHANLIANG HU, JIANQING
ZHENG, WANG LIU, ZAN NI,
XIEHUI CHEN, XINLE PAN,
YONGXING LIU, ZENG GUANG FU,
YONG LUI, and CHENYONG
ZHANG, on behalf of themselves and
all other persons similarly situated,

MEMORANDUM AND ORDER
No. 15-CV-4325 (FB) (MDG)

Plaintiffs,

-against-

AAA VENTURE CAPITAL INC.,
JEFF LIU, KAREN YANG, and JOHN
DOES #1-10,

Defendants.

-----X

BLOCK, Senior District Judge:

On September 12, 2016, Magistrate Judge Go issued a Report and Recommendation (“R&R”) recommending that the plaintiffs’ motion for a default judgment be (1) denied with respect to Yong Lui, Chenyong Zhang and Jinggui Jiang, but (2) granted with respect to the remaining plaintiffs. The R&R recommends that a default judgment be entered against AAA Venture Capital, Inc., and Jeff Liu, in the total amount of \$184,725.60. A breakdown of the awards recommended for each plaintiff is set forth on page 32 of the R&R.

The R&R advised that “[a]ny objections . . . must be filed . . . by September 29, 2016,” and that “[f]ailure to file objections within the specified time waives the right to appeal.” R&R at 33. It was mailed to AAA and Liu on the same day it was issued. To date, no objections have been filed.

Where clear notice has been given of the consequences of failure to object, and there are no objections, the Court may adopt the R&R without *de novo* review. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *Mario v. P & C Food Mkts., Inc.*, 313 F.3d 758, 766 (2d Cir. 2002) (“Where parties receive clear notice of the consequences, failure timely to object to a magistrate’s report and recommendation operates as a waiver of further judicial review of the magistrate’s decision.”). The Court, however, will excuse the failure to object and conduct *de novo* review if it appears that the magistrate judge may have committed plain error. *See Spence v. Superintendent, Great Meadow Corr. Facility*, 219 F.3d 162, 174 (2d Cir. 2000).

No error, plain or otherwise, appears on the face of the R&R. Therefore, the Court adopts it without *de novo* review. The Clerk shall enter judgment in accordance with the R&R, plus post-judgment interest.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
September 30, 2016